



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

February 4, 2019

Via ECF

The Honorable P. Kevin Castel  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Juan Antonio Hernandez Alvarado,*  
S2 15 Cr. 379 (PKC)**

Dear Judge Castel:

The Government respectfully requests, with the consent of defense counsel, an adjournment of the deadline for Rule 16 discovery until February 15, 2019, and a corresponding adjournment of the February 21, 2019 status conference until early March 2019. The reasons for these requests are that (i) last week, the Government obtained additional data from phones seized incident to the arrest of the defendant, which the Government has made available to defense counsel pending receipt from the defense of electronic media with sufficient capacity to store a copy of the data; (ii) defense counsel requires additional time to review the recently extracted data as well as previously produced discovery; and (iii) the Government anticipates seeking a protective order pursuant to Rule 16(d)(1) with respect to a small subset of the discovery, and the parties are discussing that potential application in an effort to narrow the issues that will need to be presented to the Court.

If these requests are granted, defense counsel has requested that the status conference be re-scheduled between March 6 and March 8, 2019, to the extent the Court has availability on those days. Finally, if the requests are granted, the parties further request that time be excluded in the interest of justice, pursuant to Title 18, United States Code, Section 3161(h)(7)(A), in order to provide additional time for defense counsel and the defendant to review

Cc: Defense Counsel  
(Via ECF)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>ORDER</u>
	:	
- v. -	:	S2 15 Cr. 379 (PKC)
	:	
JUAN ANTONIO HERNANDEZ ALVARADO,	:	
	:	
Defendant.	:	
-----X	:	

Whereas the parties have requested an adjournment of the deadline for Rule 16 discovery until February 15, 2019, and a corresponding adjournment of the February 21, 2019 status conference,

IT IS HEREBY ORDERED that the parties' requests are granted and the February 21, 2019 conference is adjourned until \_\_\_\_\_; and

IT IS FURTHER ORDERED that the time between February 21, 2019 and \_\_\_\_\_ is excluded in the interest of justice under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), upon consent, and in order to allow defense counsel and the defendant time to review discovery and evaluate pretrial motion practice, and for the parties to engage in litigation under Rule 16(d)(1) if necessary. The Court finds that the ends of justice served by this exclusion of time

outweigh the interests of the public and the defendant in a speedy trial.

Dated: New York, New York  
February \_\_, 2019

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HONORABLE P. KEVIN CASTEL  
United States District Judge  
Southern District of New York